

**NEVADA DEPARTMENT OF CORRECTIONS  
ADMINISTRATIVE REGULATION  
548**

**CASEWORK TO DOCUMENT HOLDS AND DETAINERS**

**Supersedes:** AR 548 (Temporary, 04/08/10)  
**Effective Date:** 05/20/10

**AUTHORITY:** NRS 209.131

**RESPONSIBILITY**

The Offender Management Administrator (OMA) is responsible for establishing and monitoring a process to ensure that holds and detainers from other agencies and jurisdictions are properly documented in the Nevada Offender Tracking Information System (NOTIS).

**548.01 PROCEDURES**

**1. Institutions and Facilities**

A. Any staff member who becomes aware of an undocumented /unconfirmed felony hold or detainer will contact the inmate's caseworker with the information.

B. Information regarding the possible interest of other agencies or jurisdictions may be obtained from a number of sources, to include but not limited to:

- (1) Pre-Sentence Investigation (PSI),
- (2) Copies of holds lodged with county jails and forwarded to the Department with the inmate,
- (3) National Crime Information Center (NCIC),
- (4) Memoranda indicating inmate court appearances received by transportation staff and,
- (5) Parole and Probation violation report.

C. Prior to their Initial Classification of an inmate, Intake Caseworkers will complete casework on undocumented/unconfirmed holds and detainers that are discovered during the intake processing of an inmate.

D. An inmate's assigned caseworker will complete the casework for undocumented/unconfirmed holds and detainers when discovered after the intake process.

E. Casework consists of contacting the agency and obtaining:

- (1) The name of the other agency representative.
- (2) The charges or convictions with case numbers.
- (3) The sentence and discharge date, if applicable.
- (4) An indication of the other agency's intent to either extradite or disregard the inmate.
- (5) The official name of the other agency and their ORI.
- (6) A contact name and call back number.

F. Caseworkers will input this information into NOTIS and send a completed Form 2040 or Form 2040A to the OMD Warrants Coordinator in the Offender Management Division. If an Originating Agency Identifier (ORI) Number is not available; this fact will be noted.

G. It is necessary to perform casework or notifications for the following:

- (1) Misdemeanor or gross misdemeanor charges or holds,
- (2) Possible holds from the U.S. Department of Homeland Security – Immigration and Customs Enforcement (DHS/ICE).

## 2. OMD Warrants Coordinator

A. The OMD Warrants Coordinator will immediately enter confirmed holds and detainers received from other agencies into NOTIS.

- (1) If the other agency responds that a felony holds or detainers will not be placed, the OMD Warrants Coordinator will notify the designated institutional staff and,
- (2) will route any documentation to the I and C-Files.

B. The OMD Warrants Coordinator may accept a hold or detainer at any time during the inmate's incarceration.

(1) Before removing temporary felony holds, if more than 90 days have elapsed since notice to another agency, and the agency has not responded, follow up contact will be done by the OMD Warrants Coordinator who will call or write that agency to indicate that an inmate is being released to parole or discharge.

C. The OMD Warrant Coordinator is responsible for researching and initiating Interstate Agreement on Detainers (IAD).

(1) Designated institutional staff is responsible for review and witnessing the signing of IAD forms 1, 2, 3 and 4, by the inmate.

### 3. Classification

A. The presence of a confirmed non-extraditable felony hold, notify or detainer is not an automatic exclusion from minimum custody. Each instance needs to be considered on a case by case basis taking into consideration the inmate's proximity to release; the type of offense that it represents; and the other agencies intentions.

B. If the hold is for an obligation that is concurrent, and discharges before their Nevada sentence, an inmate may be considered for minimum custody.

C. An inmate with an ICE hold may be approved for, or remain in a minimum custody setting. Review for assignment to, or retention at minimum custody should provide specific information regarding the escape risk that the inmate represents, including but not limited to observed behaviors, statements or comments ICE officials, or local (within Nevada) legal family ties.

D. If a confirmed hold or detainer is determined to be an appropriate exclusion for minimum custody, the NOTIS classification assessment should be documented in the Questionnaire Minimum Eligibility Question 6 "YES" check mark and narrative in the comments section.

### 4. Correction of Inaccurate Information

A. If it is suspected that an agency with a confirmed hold or detainer has dropped its interest but failed to notify the NDOC, the basis for that suspicion should be communicated to the OMD Warrants Coordinator. The information should be in written form, and should be prepared by the Caseworker.

B. The OMD Warrants Coordinator, will make contact with the other agency and attempt to determine if their interest has changed. The caseworker will provide the agency's contact and the contact's callback number. The Warrants Coordinator will then make the appropriate corrections in NOTIS and will also relay any new information to the designated institutional staff for placement into the I-File.

### 5. Provisions for temporary inclusion of unconfirmed holds or detainers in NOTIS.

A. If the OMD Warrants Coordinator is aware of an unconfirmed hold or detainer which involves any felony offense, the unconfirmed hold or detainer may be entered into NOTIS if it is clearly labeled as temporary.

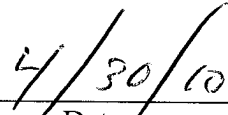
B. If a hold/detainer cannot be confirmed within 90 days, the OMD Warrants Coordinator will attempt to confirm the temporary hold or detainer using the available information.

C. If OMD Warrants Coordinator cannot then confirm the temporary hold or detainer, a case note will be entered in NOTIS with the details of the attempted contacts to confirm the information and the date that the temporary hold/detainer will expire in NOTIS.

#### **APPLICABILITY**

1. This Administrative Regulation does not require an operational procedure.
2. This Administrative Regulation requires an audit.

  
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Howard Skolnik, Director

  
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Date